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Mali is a constitutional democracy that continued to implement a decentralized form of government. In May 2002, General Amadou Toumani Toure was elected to a 5-year term as President. The presidential and legislative elections were judged generally free and fair by international and domestic observers; however, there were some administrative irregularities. The former ruling party, Alliance for Democracy in Mali (ADEMA), lost its majority in the National Assembly, and no party held a clear majority. During the year, President Toure reshuffled the cabinet and expanded the cabinet to 28 ministers, including 10 former sub-ministerial offices, and appointed a new Prime Minister. The Government organized simultaneous urban and rural communal elections for the first time. The judiciary continued to be subject to executive influence, and there were reports of corruption in the courts.

Security forces are composed of the army, air force, Gendarmerie, National Guard, and police. The army and air force are under the control of the civilian Minister of Defense. The National Guard is administratively under the Minister of Defense; however, it responds to taskings from the Minister of Internal Security and Civil Protection. The police and Gendarmerie are under the Ministry of Internal Security and Civil Protection. The police and gendarmes shared responsibility for internal security; the police were in charge of urban areas only. While civilian authorities generally maintained effective control of the security forces, there were isolated instances in which elements of the security forces acted independently of government authority. There were no reports that security forces committed human rights abuses.

The country was very poor with a market-based economy, and its population was approximately 12 million. Most of the work force was employed in the agricultural sector, particularly farming and animal husbandry. The per capita gross national product was approximately \$240, which provided most of the population with a low standard of living, although there was a sizable middle class. The economy depended heavily on foreign assistance. Desertification, deforestation, soil degradation, and social limitations, including a low literacy rate and a high population growth rate (2.2 percent), contributed to poverty. The inflation rate remained low, and public sector wages were adjusted to keep pace with inflation. Poor infrastructure, minimal foreign investment, administrative inefficiency, and corruption also were important factors in limiting economic growth.

The Government generally respected its citizens' human rights; however, there were problems in some areas. Prison conditions remained poor. Occasionally police arbitrarily arrested and detained persons. The judicial system's large case backlog resulted in long periods of pretrial detention and lengthy delays in trials. Domestic violence against women was widespread. Discrimination against women persisted, and social and cultural factors continued to sharply limit economic and educational opportunities for most women. Female genital mutilation (FGM) was widespread, although educational campaigns against FGM were ongoing. The civil unrest in Cote d'Ivoire and the increased control at the country's southern border significantly slowed child trafficking with Cote d'Ivoire; however, trafficking remained a problem especially within the country and with other neighboring countries. Hereditary servitude relationships continued to informally link different ethnic groups. Despite provisions in the Labor Code against child labor, regulations were often ignored in practice and child labor remained a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of politically motivated killings by the Government or its agents; however, two students were killed in a confrontation with riot police.

On November 30, one student died during confrontation between different student groups. After rumors spread that the student died while in police detention, violent student demonstrations broke out on December 3 and 4. Two students died after being trampled during a confrontation between the riot police and the students. Following investigations, two police officers, one senior government official, and four students remained in detention without charge at year's end. The detention of police and government officials suggested possible police involvement, although the investigation was ongoing at year's end.

Inter-ethnic conflict resulted in deaths during the year (see Section 5).

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and there were no reports that government officials employed them.

Prison conditions were poor. Prisons continued to be overcrowded, medical facilities and access were inadequate, and food supplies were limited. Men and women were separated in Bamako prisons; however, outside the capital, men and women remained housed in the same building but in separate cells. In Bamako, juvenile offenders usually were held in the same prison as adult offenders, but they were kept in separate cells. Pretrial detainees were held with convicted prisoners.

The Government permitted prison visits by human rights monitors, provided that administrative procedures were followed. Nongovernmental organizations (NGOs) and other monitors were required to submit a request to the prison director who then forwarded it to the Ministry of Justice. Although these administrative procedures were in place for several years, the Government began enforcing them during the year. Approvals were routinely granted and took up to 1 week. Several organizations, including the Malian Association of Human Rights, the Malian Association of Women Lawyers, and other nongovernmental organizations (NGOs) visited prisoners and worked with women and juvenile prisoners to improve their conditions. According to an NGO, the administrative process hindered the ability of monitors to ascertain if there were human rights violations.

d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions; however, on occasion, police arrested and detained persons arbitrarily.

The national police force is organized into various divisions. Each district has a commissioner who reported to the Regional Director at national headquarters. The police force was moderately effective but had problems with lack of resources and training. Corruption existed within the police force.

Judicial warrants are required for arrest. Normally, the complainant delivered the warrant, which stipulated when the person was to appear at the police station. In some cases, the police served the warrant, based on a request from an influential relative of the complainant or if they received a bribe to execute the warrant. Frequently, in cases where a monetary debt was owed, the arrested person resolved the case at the police precinct, and the police received a portion of the recovered money.

The Constitution provides that suspects must be charged or released within 48 hours and that they are entitled to counsel; however, in practice, detainees were not always charged within the 48-hour period. Limited rights of bail or the granting of conditional liberty existed, particularly for minor crimes and civil matters. On occasion, the authorities released defendants on their own recognizance.

Administrative backlogs and an insufficient number of lawyers, judges, and courts often caused lengthy delays in bringing persons to trial. In extreme cases, individuals remained in prison for several years before coming to trial. Local lawyers estimated that approximately half of prison inmates were pretrial detainees.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the executive branch continued to exert influence over the judicial system. The Ministry of Justice appointed and had the power to suspend judges; it supervised both law enforcement and judicial functions. The President headed the Superior Judicial Council, which oversaw judicial activity. Domestic human rights groups alleged that there were instances of bribery and influence peddling in the courts. The Government continued its campaign against corruption (see Section 3).

The Supreme Court has both judicial and administrative powers. The Constitution provides for a separate Constitutional Court that oversees issues of constitutionality and acts as an election arbiter. The Constitution also provides for the convening of a High Court of Justice with the power to try senior government officials in cases of treason.

Except in the case of minors, trials were public, and defendants had the right to be present and have an attorney of their choice. Defendants and attorneys had access to government evidence relevant to their cases. Defendants are presumed innocent and have the right to confront witnesses and to appeal decisions to the Supreme Court. Court-appointed attorneys were provided for the indigent without charge.

Village chiefs, in consultation with the elders, decided the majority of disputes in rural areas. If these decisions were challenged

in court, only those found to have legal merit were upheld.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice. Police searches were infrequent and required judicial warrants.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice and did not restrict academic freedom.

The independent media was active and expressed a wide variety of views without restriction. Most of the previously reported 42 private newspapers and journals have disappeared, primarily due to a lack of financial resources. In the average week, about 15 different newspaper editions were published in Bamako, some appearing daily or weekly and others appearing occasionally. On the average day, there were about 10 to 12 different newspapers available for purchase. Most were small editions and only the government paper had a firm funding base. All newspapers were required to register with the Ministry of Communications; however, registration was routine.

The Government controlled the only television station and 1 of more than 125 radio stations; however, all broadcasting media presented a wide range of views, including those critical of the Government. The relative expense of newspapers and television, coupled with a low literacy rate, made radio the most prevalent medium of mass information and communication. In addition to commercial radio stations, private or community radio broadcasters included those run by associations and others directed toward smaller villages (the latter two radio services enjoyed special tax advantages).

A number of foreign broadcasters operated in Bamako through local media. Domestic reception and distribution of foreign satellite and cable television were permitted and fairly widespread, especially in Bamako. There were no private television stations that broadcast domestically produced programs.

The law regulates the press and provides for substantial criminal penalties, including imprisonment, for libel and for public injury to the Head of State, other officials, and foreign diplomats; these laws leave injury undefined and subject to judicial interpretation. However, the Government has never prosecuted journalists on criminal libel charges. The case of three reporters arrested in October 2003 on charges of defaming an attorney was still pending, and the journalists were freed while awaiting trial.

The Government did not restrict access to the Internet. Licenses to operate Internet servers were granted freely, but were prohibitively expensive.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice. The law requires groups that wish to hold public meetings to obtain the mayor's permission; however, such permission was granted routinely during the year.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

The Government required that all public associations, including religious associations, register with the Government. The registration process was routine and not burdensome. Traditional indigenous religions were not required to register.

For a more detailed discussion, see the [2004 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2004/41614.htm).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice. Police routinely stopped and checked both citizens and foreigners to restrict the movement of contraband and to verify vehicle registrations. Some police and gendarmes used the occasion to extort bribes.

The Constitution specifically prohibited forced exile; the Government did not use it.

According to both U.N. High Commissioner for Refugees (UNHCR) and government estimates, there were approximately 16,000 refugees in the country. Of the 11,000 Mauritians who sought refuge in 1989, only 6,844 remained in refugee camps in the western part of the country.

Approximately 50 percent of refugees lived in urban areas, including Sierra Leonians, Ivorians, and Liberians. The Government had a transit center located 120 miles from Bamako, where it hosted approximately 100 of the most vulnerable refugee and asylum applicants. The center had a capacity of approximately 300 persons and could be expanded to hold 900. The country received most of its refugees from Cote d'Ivoire and a small number from Liberia during the year.

The law provides for the granting of refugee status or asylum to persons in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, and the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution, and granted refugee status or asylum. A national committee in charge of refugees operated with institutional assistance from the office of the UNHCR. The Government cooperated with the UNHCR and other humanitarian organizations in assisting refugees. On April 24 and 25 the Government and UNHCR repatriated over 200 Liberian refugees back to Monrovia. The refugees lived in the southern city of Sikasso following their departure from Ghana in late February.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Under the Constitution, the President is Chief of State and Commander in Chief of the armed forces and is elected for a 5-year term with a limit of two terms. The President appoints the Prime Minister, other members of the Government, and high military officers as mandated by the Constitution.

In 2002, presidential elections were held, and General Amadou Toumani Toure won more than 60 percent of the vote even without the support of a political party. Independent international and domestic observers judged the elections to be generally free and fair and without evident fraud; however, there were some administrative irregularities.

Legislative elections in 2002 were also considered to be generally free and without evident fraud; however, there were some administrative irregularities. Shifting alliances had an impact on the composition of the National Assembly. The former majority party, ADEMA, held 37 of 147 seats after losing 13 seats to the Union for the Republic and Democracy (URD); the Rally for Mali (RPM) party and its allies held 65; and the remaining 26 seats were held by other smaller political parties and independents. No one party or coalition held a majority.

On April 29, President Toure reshuffled the 18-person cabinet and expanded the cabinet to 28 ministers, including 10 former sub-ministerial offices. On May 2, President Toure appointed a new Prime Minister, Ousmane Issoufi Maiga.

Communal elections were held on May 30, and the election process was reported to be generally orderly and transparent. The former ruling party ADEMA was the principle winner in the polls gaining 28 percent of 10,789 seats in the country's 703 communes. Its rivals, RPM and URD obtained 13 and 14 percent of seats, respectively. Six other well-known parties share 16 percent of the seats, with a coalition of lesser-known parties holding 11 percent. Independents did not do as well as some observers anticipated. Voter turnout, at 43.05 percent, was the highest since the 1991 political referendum.

There was no evidence of widespread fraud or coercion; however, minor incidents occurred in almost all regions of the country. A village in the western region of Kayes and another in the central region of Segou failed to participate in the process because they refused the selection of another village as their polling station. In separate incidents, militants whose candidate was disqualified removed voting equipment in the northern regions of Gao and Kidal to prevent the voting process. Approximately 20 persons were under police investigation for possession of stolen voter cards. No charges had been filed against them at year's end.

Local governments benefited from central government subsidies, but they were also able to collect local taxes to support their operations. Decentralization changed traditional power relationships between government and the governed and relieved formerly powerful civil servants of their authority. The Government has passed many laws that allow greater financial autonomy in the areas of education, health, and infrastructure. Elected officials, especially in the southern regions, made some progress. However, in the lesser economically developed northern regions of the country, some mayors and other local officials were coping with difficulties stemming from revenue collection and local development programs. Effective service delivery strongly influenced citizens' perception and confidence in elected leaders and trust of Government; however, local service delivery deteriorated where financial and administrative capacity was weak.

Corruption continued to hamper the Government's development efforts.

On May 10, the Supreme Court installed Sidi Sosso Diarra, Auditor General, and Modibo Diallo, Deputy Auditor General, to head the Office of the Auditor General Office, which served as an added prevention against corruption. The Auditor General's Office is an independent authority designed to monitor the management of public resources and all public institutions, public companies, local and private associations, and NGOs that receive public financing.

On August 8, 16 civil servants, including the former Director and Deputy Director of Customs, the former Director of Mines, ministerial advisors, and businessmen were convicted of corruption for abusing a government business tax benefit program. Many of the convicted misused the program by creating fictitious businesses and providing false justification for reimbursement of custom taxes. The sentences ranged from 2-years to 18-months, with three people receiving suspended sentences.

The law provides for public access to government information and administrative documents for the press and any citizen. If an information request is refused, the person inquiring can appeal to an administrative court and the appeal must be handled within 3 months.

A total of 15 women held seats in the 147-member National Assembly. There were 5 female cabinet members in the 28-seat Cabinet. Five women served on the Supreme Court out of 33 justices, and 3 women served on the Constitutional Court out of 9 justices.

The National Assembly had 14 members of historically marginalized pastoralist and nomadic ethnic minorities representing the northern regions of Gao, Timbuktu, and Kidal. The Cabinet also had two representatives of the northern regions, the Minister of Health and the Minister of State Reforms and Institutional Relations.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views. Some of these groups included the Malian Association for Human Rights, a smaller Malian League of Human Rights, and a local chapter of Amnesty International. The International Committee for the Red Cross (ICRC) had offices in Bamako, Timbuktu, and Gao.

On July 26, armed assailants attacked seven ICRC workers on their way to assist victims in the northeastern region of Bourem still suffering from the effects of the 2003 floods; there were no injuries.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution prohibits discrimination based on social origin, color, language, sex, or race, and while the Government generally respected these provisions in practice, social and cultural factors gave men a dominant role.

Women

Domestic violence against women, including spousal abuse, was tolerated and common; no statistics were available on the extent of the problem. Assault in marriage was a crime; however, police were reluctant to enforce laws against or intervene in cases of domestic violence. Many women were reluctant to file complaints against their husbands because they were unable to support themselves financially.

FGM was common, especially in rural areas, and was performed on girls at an early age. According to domestic NGOs, approximately 95 percent of adult women had undergone FGM. The practice was widespread among most regions and ethnic groups, was not subject to class boundaries, and was not religiously based. There were no laws against FGM, and the Government did not propose legislation prohibiting FGM. Human rights organizations fighting FGM lobbied the National Assembly to pass a law against FGM. However, the Government passed a decree in 1999 that prohibited the practice of FGM in health centers. As a result, FGM no longer was practiced openly and was more commonly practiced on toddlers mostly in rural areas.

In 1999, the Government instituted a two-phased plan to eliminate all forms of FGM by 2008. The education phase of the national plan was ongoing. According to a human rights organization fighting FGM, the educational phase (through workshops, videos, and theater) made some impact in cities, where the practice noticeably decreased, especially on children of educated couples. In many instances, FGM practitioners agreed to stop the practice in exchange for an income generating activity. The National Committee Against Violence Towards Women linked all the NGOs active in preventing FGM, and various NGOs campaigned against FGM.

Women had very limited access to legal services due to their lack of education and information, and because family law favored men. Women particularly were vulnerable in cases of divorce, child custody, and inheritance rights, as well as in the general protection of civil rights. The overwhelming factor affecting women's access to legal services was cost. For example, if a woman wanted a divorce, she had to pay approximately \$60 (30,000 CFA francs) to start the process, an amount most women did not

have.

Despite legislation giving women equal property rights, traditional practice and ignorance of the law-prevented women from taking full advantage of the law; even educated women. Prospective spouses chose between polygynous and monogamous marriages; a marriage could not take place without both parties' consent. However, when no preference was specified in the marriage certificate, judges assumed that the marriage was polygynous. A community property marriage had to be specified in the marriage contract. Traditional practice discriminated against women in inheritance matters. For example, men inherited most of the family wealth, and women received a much smaller portion of estates.

Women's access to employment in the professions and government, and to economic and educational opportunities, was limited. Women constituted approximately 15 percent of the labor force. The Government, the country's major employer, paid women the same as men for similar work. Women often lived under harsh conditions, especially in rural areas, where they performed difficult farm work and did most of the childrearing.

A second 4-year (2004-2008) national plan of action for the promotion of women was launched early in the year. The program continued to seek a reduction in inequalities between men and women and created links between women within the Economic Community of West African States (ECOWAS) countries and throughout Africa. Although the Government launched the second 4-year plan, no analysis or evaluation of the results of the first 4-year plan was conducted.

Several women's rights groups, such as the Association of Malian Women Lawyers and the Association of Women in Law and Development, worked during the year to highlight problem areas in the law, mainly the family code, through activities such as debates, conferences, and women's rights training. Training was targeted to reach magistrates, police officers, and religious and traditional leaders, while providing legal assistance to women.

Children

The Government was committed to providing for children's welfare and rights. Several laws protect children and provide for their welfare. An ordinance enumerates the rights of children and provides for government positions in each region of child "delegates," whose role would be to safeguard the rights and interests of children. The ordinance also creates special courts for children and specified protections for children in the legal system; however, there was no juvenile court system at year's end.

Education was tuition free and, in principle, open to all, although the majority of students left school by the age of 12. Students had to provide their own uniforms and supplies to attend public schools. While primary school was compulsory up to the age of 12, only 53.4 percent of children in the 7-12 age group (45.7 percent of girls and 61.4 percent of boys) received a basic education owing to a lack of primary schools, especially in rural areas where 80 percent of the population lived. Net enrollment of children in junior high school was 18.6 percent, of which 13.8 percent were girls. Shortages of teachers and materials, poverty, and cultural tendencies to place less emphasis on education of girls also affected the rate of girl's enrollment and education. Literacy rates among girls remained significantly lower than for boys. A 1998 government estimate reported a 12 percent literacy rate for women.

The Government solicited financial assistance from the business and sporting communities to provide a means of education to children in the country. On June 16, the Ministry of Education and the Ministry of Solidarity launched a program to recruit businessmen and women and sport celebrities to contribute financially to children's education in the country. Approximately 300 children were sponsored in the program.

The country had Koranic schools, which taught only the Koran, and Medersas that taught not only the Koran, but also reading, writing, and mathematics. There were 852 registered Medersas teaching at the primary school level with 140,194 students; 10 percent of all students attending primary school during the year. While these schools were by statute private, the Government's policy was support to them by providing textbooks and providing some teacher training and pedagogic to support Medersa schools. There was a department at the Ministry of Education charged with monitoring and supporting Medersas. There were reports that children who attended Koranic schools spent more time begging on the streets than learning in the classroom. The Koranic schools were independent institutions that depended on donations from parents and the money the children (known as garibouts) received from begging on the streets. They received no funding from the Government, and were not part of the Government's educational system. The Government believed it was the responsibility of the Islamic leaders to modernize and monitor Koranic schools. Koran schoolteachers reported that they requested the Government's assistance in providing basic reading and writing materials.

The Social Services Department investigated and intervened in cases of reported child abuse or neglect. According to local human rights organizations, reported cases were rare; however, statistics were unreliable.

The marriage code allows girls under the age of 15 to marry provided they receive special permission from a judge. Women's rights organizations opposed this provision of law as contradicting international conventions that protect children through the age of 18.

FGM was commonly performed on young girls (see Section 5, Women).

Child labor and trafficking in children were problems (see Sections 5, Trafficking and 6.d.).

Trafficking in Persons

The law does not prohibit trafficking in persons but specifically prohibits trafficking in children; however, children were trafficked during the year. Child trafficking is punishable by 5 to 20 years in prison. There also are laws that prohibit the contractual use of persons without their consent. Penalties increased if a minor was involved; however, these penalties were not imposed during the year.

During the year, three women were arrested in Segou region for trafficking for prostitution and one man at the Guinea border for trafficking young girls to become housemaids in Conakry. Though legal protections and measures were in place, parents were reluctant to follow through with charges and cases often languished unresolved within the justice system. At year's end, investigations were ongoing and no charges had been announced in previous year's cases.

Both the Ministry for the Promotion of Women, Children, and the Family and the Ministry of Labor and Civil Service handled the problem of trafficking. Both ministries, in cooperation with the Ministry of Foreign Affairs and the Ministry of Territorial Administration, developed a program to identify and rehabilitate victims, educate the population, and strengthen the legal system with regard to the movement and trafficking of minors.

The Government signed a bilateral agreement with Burkina Faso and Senegal, and during the year assisted in the repatriation of 19 children to Burkina Faso.

In past years, child trafficking to plantations in Cote d'Ivoire based on coercion or deception of children and their families by organized networks of traffickers was prevalent; however, civil unrest in Cote d'Ivoire and the increased control at the country's southern border significantly altered trafficking routes, slowing the flow to Cote d'Ivoire and increasing the flow to other neighboring countries. The country has become a point of origin, transit, and destination for trafficking. Most of the trafficking occurred within the country's borders during the year. Children were trafficked to the rice fields in the central regions; boys were trafficked to mines in the southeast; and girls were trafficked for involuntary domestic servitude in Bamako. The victims were usually from the central regions of the country and not from a specific ethnic group. Women and girls were trafficked from Nigeria for sexual exploitation. Traffickers were mainly from the country.

The Government worked closely with international organizations and NGOs and local NGOs to coordinate the repatriation and reintegration of trafficking victims. Fifty-four children were repatriated from Senegal during the year. Welcome centers in Mopti, Segou, Sikasso, and Bamako assisted in returning trafficked children to their families.

On March 22, the International Organization for Migration organized a sub-regional workshop involving participants from Cote d'Ivoire, Burkina Faso, Senegal, and Guinea on child trafficking during the year.

Parents were required to carry travel passes for children, a measure intended to curb child trafficking. Following information campaigns during the year and in 2003, the public was aware of the usefulness of the travel document in the fight against child trafficking. There were no reports that these documents hindered legitimate travel during the year.

Persons with Disabilities

There was no specific legislation protecting the rights of persons with physical or mental disabilities or mandating accessibility to public buildings; however, the Government did not discriminate against persons with physical disabilities in regard to employment, education, and other state services. The Government had not made provisions for persons with disabilities in these areas. There was no societal discrimination against persons with disabilities; however, in view of the high unemployment rate, persons with physical disabilities often were unable to find work.

National/Racial/Ethnic Minorities

There was inter-ethnic violence between the Arabs and the Kountas in the north. Sporadic fighting between Kountas and Arabs occurred in the Gao area over the past 5 years primarily over resources, and because the Kountas were always in leadership positions, although they were fewer in number. Following the transition to democratic rule and elections, leadership roles have changed. Mediation sessions have been held; however, hostilities between the two communities continued to fester.

On August 7 in the Gao region, three Arabs and approximately seven Kountas were killed during a flare up of inter-ethnic hostilities between the two communities. An investigation of the clash was ongoing at year's end.

On August 12, a criminal court sentenced 17 out of 23 persons charged with assassination, arson, destruction of fields and various goods, and cattle raiding stemming from a May 2003 dispute over a local pond in Kela and Salamale, southwest of Bamako. The 17 found guilty received a 5-year sentence; the remaining 6 were acquitted. Approximately three persons had been killed and nine severely wounded in the clash.

On September 11, prisoners, including men convicted of murder during the 1998 Arab/Kounta conflict escaped in a well-organized jailbreak. Efforts to locate escapees were unsuccessful.

On October 18, a customs officer was killed during a confrontation between two Tuareg communities of Kidal. The customs officer volunteered to act as a mediator between the two factions, but was ambushed and killed by members of one of the factions. One of the assailants was arrested and charged.

Section 6 Worker Rights

a. The Right of Association

The Constitution and the Labor Code specifically provides for the freedom of workers to form or join unions and protects freedom of association, and workers exercised this right in practice. Only the military, the Gendarmerie, and the National Guard were excluded from forming unions. Virtually all salaried employees were organized, including teachers, magistrates, health workers, and senior civil servants.

Neither the Constitution nor the Labor Code prohibits anti-union discrimination, but there were no reports of anti-union behavior or activities during the year.

b. The Right to Organize and Bargain Collectively

The law provides for the right to strike, and workers exercised this right in practice. The growth of independent unions led to more direct bargaining between these unions and their employers. Wages and salaries for workers belonging to the National Union of Malian Workers (UNTM) Federation and the Syndicated Confederation of Malian Workers (CSTM) were set by tripartite negotiations between the Ministry of Labor, labor unions, and representatives of the National Council of Employers of the sector to which the wages applied. Civil service salary levels were pegged nationally to an index established by the Government. These negotiations usually set the pattern for unions outside the UNTM. The Ministry of Labor had an office that dealt with labor disputes and acted as a mediator in labor disputes between employers and employees. There are no export processing zones.

The Constitution provides for the right to strike; however, there were restrictions in some areas. For example, civil servants and workers in state-owned enterprises were required to give 2 weeks' notice of a planned strike and enter into mediation and negotiations with the employer and a third party, usually the Ministry of Labor and State Reforms. The Labor Code prohibits retribution against strikers, and the Government generally respected this requirement in practice.

Several strikes, including by teachers, police officers, foreign service officers, and magistrates, occurred during the year. These strikes generally were settled within a few days.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see Sections 5 and 6.d.).

The law prohibits the contractual use of persons without their consent; penalties include a fine and hard labor. The penalties increase significantly if a minor, defined as someone less than 15 years of age, was involved.

There were some reports that de facto slavery, long reported to have existed in northern salt mining communities, evolved to wage labor in recent years; however, reliable evidence about labor conditions in those remote facilities remained unavailable. Hereditary servitude relationships continued to informally link different ethnic groups, particularly in the north.

d. Prohibition of Child Labor and Minimum Age for Employment

The Labor Code has specific policies that pertain to child labor; however, these regulations often were ignored in practice and child labor was a problem. The Labor Code permits children between the ages of 12 and 14 to work up to 2 hours per day during school vacations with parental approval. Children between the ages of 14 and 16 may work up to 4½ hours per day with the permission of a labor inspector, but not during nights, on Sundays, or on holidays. Children between the ages of 16 and 18 could work in jobs that physically were not demanding; boys could work up to 8 hours per day and girls up to 6 hours per day. The Government implemented a new plan of action against child labor during the year. The plan, led by the Minister of Labor, focused on educating and training children.

The vast number of children who worked in rural areas, helping with family farms and herds, and those who worked in the informal sector, for example, as street vendors were not protected by laws against unjust compensation, excessive hours, or capricious discharge.

Child labor predominated in the agricultural and domestic help sectors and, to a lesser degree, in craft and trade

apprenticeships, and cottage industries. Apprenticeship, often in a family member's or a parent's vocation, began at an early age, especially for children unable to attend school.

The authorities enforced Labor Code provisions through inspectors from the Ministry of Labor and State Reforms, who conducted surprise inspections and complaint-based inspections; however, resource limitations restricted the frequency and effectiveness of oversight by the Labor Inspection Service, and the Service operated only in the formal sector.

The National Campaign Against Child Labor, led by the International Program for the Elimination of Child Labor

(IPEC)-Mali, was responsible for investigating abusive forms of child labor. IPEC relied on labor inspectors appointed by the Government in Bamako and in regional labor offices throughout the country. Investigations were held when NGOs or the media provided information that there was abusive child labor. There were no cases of child labor investigated during the year.

Unlike in previous years, there were no reports that children were kidnapped and sold into effective slavery during the year.

e. Acceptable Conditions of Work

The Labor Code specifies conditions of employment, including hours, wages, and social security; however, in practice, many employers either ignored or did not comply completely with the regulations. The national minimum wage rate, set during the year, was approximately \$53 (28,000 CFA francs) per month. Workers had to be paid overtime for additional hours. The minimum wage did not provide a decent standard of living for a worker and family. The minimum wage was supplemented by a required package of benefits, including social security and health care. While this total package could provide a minimum standard of living for one person, in practice, most wage earners supported large extended families and supplemented their income by subsistence farming or employment in the informal sector.

The legal workweek was 40 hours (45 hours for agricultural employees), with a requirement for at least one

24-hour rest period. The Social Security Code provides a broad range of legal protections against hazards in the workplace, and workers' groups brought pressure on employers to respect parts of the regulations, particularly those affecting personal hygiene. However, with high unemployment, workers often were reluctant to report violations of occupational safety regulations. The Labor Inspection Service of the Ministry of Labor oversaw these standards but limited enforcement to the modern, formal sector. It was not effective in investigating and enforcing workers' safety and was insufficiently funded for its responsibilities.

Workers had the right to remove themselves from dangerous work situations and request an investigation by the Social Security Department, which was responsible for recommending remedial action where deemed necessary; it was not known if any worker had done so.